

GETTING IT STRAIGHT:
A Preliminary Look at Data Collected from
Voters During the Elections of 2006



November 8, 2006

Whether you liked the outcome of this election or not, on this morning after we are faced with the prospect that far too many Americans do not have confidence in our elections system. There were far too many incidents on Election Day around the country to discount real concerns about the integrity of our elections. Too many Americans were left unable to cast a vote on Election Day. Too many Americans are worried that the vote they cast will not be counted, or that it may not be counted as cast. We will never be able to tally the numbers of voters who got tired of waiting in long lines or frustrated when they could not get their touch screen machine to register their choice of candidate, or the people who never got a chance to vote because they could not meet stringent new voter ID requirements in some states or because their voter registration was never processed. Voting is the linchpin of our democracy, and all voters, wherever they live, whatever their race and their income, must have equal access to the polls.

The problems that were reported to us through our hotline do not point to or uncover massive fraud or conspiracy to manipulate our elections. But these incidents, and thousands more that were reported on November 7, 2006, do point to a series of problems that collectively eat away at Americans' confidence in their ability to complete the most fundamental act that we as citizens perform.

We must ensure that the American election process is a model of fairness, providing all voters with access to the franchise, guarantee that election results accurately represent the will of the voters and establish an election regime that puts a premium on accountability to the voters. This process must begin today so that we get it straight by 2008.

Sincerely,

A handwritten signature in black ink that reads "Chellie R." with a stylized flourish at the end.

Chellie Pingree
President and CEO

Introduction

On and before Election Day 2006, Common Cause joined with other organizations to monitor voters' experiences and connect voters with their elections officials through a national voter alert line, 866-MYVOTE-1. Our partners in this effort included the Fels Institute for Government at the University of Pennsylvania, the Reform Institute, the Hispanic Voter Project at Johns Hopkins University, The National Coalition for Black Civic Participation, and the National Constitution Center.

More than 16,000 calls were made to the hotline, and more than 1,500 voters took the time to tell their stories. This data, buttressed by reports from Common Cause state executive directors and dozens of elections activists throughout the country, make clear that for thousands of voters, casting a ballot and making sure that their vote counted was a difficult proposition.

Total Calls to 1-866-MyVote1 by State			
State	# of Calls		# of Calls
Alaska	6	Montana	53
Alabama	62	North Carolina	624
Arkansas	28	North Dakota	9
Arizona	834	Nebraska	23
California	1,699	New Hampshire	39
Colorado	355	New Jersey	453
Connecticut	144	New Mexico	107
District of Columbia	48	Nevada	115
Delaware	17	New York	1,167
Florida	636	Ohio	946
Georgia	382	Oklahoma	37
Hawaii	62	Oregon	68
Iowa	146	Pennsylvania	2,411
Idaho	53	Rhode Island	57
Illinois	552	South Carolina	56
Indiana	314	South Dakota	11
Kansas	55	Tennessee	151
Kentucky	128	Texas	633
Louisiana	38	Utah	42
Massachusetts	531	Virginia	439
Maryland	391	Vermont	12
Maine	33	Washington	183
Michigan	1,090	Wisconsin	178
Minnesota	255	West Virginia	34
Missouri	365	Wyoming	8
Mississippi	23		
		Total	16,103

The greatest number of voter complaints were logged in ten states: Michigan, Pennsylvania, California, Ohio, Massachusetts, New York, Florida, Virginia, Maryland and Georgia. However, some glaring problems were also evident in Texas, Colorado, Indiana and New Jersey. The most active counties were Wayne County and Oakland County in Michigan; Lancaster, Pennsylvania; Los Angeles, California; Macomb, Michigan; Allegheny and York, Pennsylvania; Maricopa, Arizona; Philadelphia, Pennsylvania; and Suffolk, Massachusetts.

Top 10 States for Voter Stories of Problems on Election Day	
<u>State</u>	<u># of calls</u>
Michigan	332
Pennsylvania	260
California	116
Ohio	91
Massachusetts	73
New York	67
Florida	65
Virginia	61
Maryland	44
Georgia	43

Top 10 Counties for Voter Stories of Problems on Election Day	
<u>County, ST</u>	<u># of calls</u>
Wayne, MI	188
Oakland, MI	67
Lancaster, PA	61
Los Angeles	42
Macomb, MI	38
Allegheny, PA	31
York, PA	28
Maricopa, AZ	26
Philadelphia, PA	24
Suffolk, MA	22

Election Day 2006 proved once again that voters nationwide continue to encounter an unacceptable level of problems at the polls that have a substantial impact on voter participation and the confidence voter have in our elections system. On Election Day, voters who called into our hotline experienced problems with new voting machines, registration difficulties, waited in hours because of long lines, and struggled with new identification requirements. These problems serve to disenfranchise voters and create mistrust in the integrity of our voting systems that are crucial to our democracy.

Recorded Calls to 1-866-MyVote1 Types of Problems Experienced by Voters	
<u>Type of Problem</u>	<u>Percentage</u>
Absentee	13.4%
Registration	21.3%
Identification	6.2%
Mechanical	16.9%
Paper Voting Ballots	4.3%
Provisional Ballots	1.0%
Coercion/Intimidation	3.7%
Poll Access	12.4%
Election Staff	0.0%
Other	20.6%

Based on 1,729 Coded Complaints
As of 4:15 PM, Election Day

Voting Machine Problems

Compared to 2004, the complaints that registered the greatest increase concerned mechanical problems with voting machines. In 2004, about 3 percent of calls identified machine problems. This year 16.9 percent, or more than five times the calls in 2004, concerned mechanical problems. Mechanical problems encompass voting machines not at the polls, voting machine malfunctions, confusing voting screens, voting machines that cast the vote for the wrong candidates, or that fail to be accessible to handicapped voters. Many voters expressed concern about untested new electronic voting machines, many that do not provide a verified paper trail, combined with inadequate training for poll workers, many of whom are not familiar with computer technology. Some voters were unable to vote or not sure that their ballots would be counted as cast.

Poll workers could not get voting machines to operate in Michigan, Maryland, Pennsylvania and Indiana, causing delays in opening polling places. Election judges in one precinct in Maryland accidentally turned off voting machines by using the wrong key card, and machines were inoperable for 45 minutes. In Wayne County, Michigan, we received this report from a polling place in Western Detroit, “None of the machines are working. Voting cards that you cast your ballots with are just sitting around. Those voting cards should be locked away until somebody comes and picks up those voting machines so that the vote can be counted. It disgusts me that this is going on every time we go out to vote.” Another caller in Philadelphia reported that the machines were not functioning because they lacked the proper extension cords.

Voter Registration Problems

About 21 percent of voter complaints concerned problems with voter registration. These problems include discovering it's too late to register to vote, believing you are at the right polling place, but finding that your name is not on the voter roll, going to the wrong polling place, or attempting to vote as an ex-felon. Compared to 2004, however, voter registration complaints had fallen significantly. Two years ago, nearly 40 percent of voter complaints concerned voter registration.

However, many voters discovered that the Motor Voter law, which was supposed to enable citizens doing business at their Department of Motor Vehicles to also fill out a voter registration form, often failed. An outraged parent in Monterey California reported that his daughter, who had registered at a DMV office, discovered there was no record of her registration with the board of elections. Elections officials told her father that frequently, Dept. of Motor Vehicles does not forward motor voter materials to polling locations. “What a message that sends to young people,” he said. They're just disenfranchised. She literally can't vote without going and getting a court order.”

Poll Access and Unacceptably Long Lines

Problems with poll locations opening late or closing early, long lines, or not opening at all – constituted 12.3 percent of voter complaints.

Since most states continue to employ vague and decentralized standards for voting machine distribution, long lines were anticipated around the country. So it is no surprise that when turnout surged at particular hours of the day, in the morning when polls opened and after work, that voters often faced unacceptably long lines. In Prince George's County, Maryland, voters waited in line for hours because their polling places lacked enough machines and this year's ballot was complicated, further slowing down the process. The last voter did not get to cast a ballot until after midnight. "I'm an African American, and my ancestors died for the right to vote," Sharolyn Hyson, a Prince George's voter who waited in line for three hours, told *The Washington Post*. "We have gone through so much, and surely we can go through this. But this is the 21st Century in the United States. We can do better."

Voter Identification

Voter identification problems affected about 6.2 percent of voters. These problems included poll workers improperly asking for identification not required by law, voters' identification not being accepted and the voter forced to vote by provisional ballot, or the voter being unable to present the required identification.

More stringent and sometimes confusing voter identification laws presented new barriers to voting. Despite the fact that Indiana is the only state to require a government issued photo ID to vote, thousands of voters in Georgia, Maryland, and Ohio were improperly asked to present one. A request for a photo ID is problematic in a country where 20 million Americans lack photo identification. In Indiana, voters were confused about what documents they needed in addition to a photo ID. One caller asked if she needed to bring her birth certificate.

Computer Software Problems

Voters in New Jersey, Florida and Texas seemed particularly hobbled by touch screen machines that appeared to "flip" the political party and candidate of their choice to the other party's candidate. In New Jersey, there were reports that several voters who wished to vote for Republican Senate candidate Tom Kean were concerned that the machines had registered votes for his Democratic opponent, Sen. Robert Menendez. Callers in Texas and Florida had similar difficulties. In Williamson county, Texas, a voter reported: "I went to vote and used the touched the screen, and I voted for my candidate and it checked Perry and I did not vote for Perry." She asked a poll worker to help, and she tried repeatedly to vote for her candidate, but the machine still registered her vote with Perry. Then the poll worker tried. "She did it, and it still came up for Perry. I did not vote for Perry, so I left the poll booth."

Electronic Poll Books

Election officials experienced trouble with electronic poll books containing computerized voter registration information, in several locations across the country. In Denver, Colorado,

the server for the electronic poll books malfunctioned, leaving thousands of Colorado voters stranded, and waiting in hours in long lines that stretched for blocks.

Absentee Ballots

Many of our callers had not received their absentee ballots. This was especially upsetting to older, infirm voters, like the Warwick, Rhode Island resident who told us: “I am a disenfranchised, elderly, immobile voter.”

To Come: Data from our Voter Survey 2006

Common Cause also invited voters to “tell their story” about their election experiences on our web site. As of the end of the day, approximately 4,000 responses from all over the country had been received (double the amount received in 2004). We have yet to comb through this data, but believe it will also yield interesting information.